

# **Legislative Regulation Review Committee**

2010-037

Department of Motor Vehicles

**MOTOR CARRIER SAFETY**

STATE OF CONNECTICUT

Regulation  
of

Department of Motor Vehicles

Motor Carrier Safety Regulations

Section 1. Section 14-163c-2 of the Regulations of Connecticut State Agencies is amended to read as follows:

Sec. 14-163c-2. Application of regulations

The regulations adopted in accordance with [Section 1] section 14-163c-1 of the Regulations of Connecticut State Agencies shall apply to:

- (1) Any motor vehicle in intrastate commerce, which has a gross vehicle weight rating or gross combination weight rating or gross vehicle weight or gross combination weight of eighteen thousand one (18,001) or more pounds;
- (2) Any motor vehicle in interstate commerce, which has a gross vehicle weight rating or gross combination weight rating or gross vehicle weight or gross combination weight of ten thousand one (10,001) or more pounds;
- (3) Any motor vehicle, which is designed to transport more than fifteen (15) passengers, including the driver;
- (4) Any motor vehicle, which is used in the transportation of hazardous materials in a quantity such as to require placarding of the vehicle under the Hazardous Materials Transportation Act, 49 USC App. 1801-1813, inclusive [unless such placarding is exempted under the provisions of the Code of Federal Regulations or the provisions of Section 3];
- (5) [The driver of any motor vehicle as provided] A person who holds a commercial driver's license or who operates any motor vehicle as described in subsections (1) through (4) of this section; and
- (6) A motor carrier as defined in the Code of Federal Regulations, Title 49, Part 390, Section 390.5, which is responsible for the operation of any motor vehicle or the driver thereof as provided in subsections (1) through (5), inclusive, of this section.

# STATE OF CONNECTICUT

Regulation

## Department of Motor Vehicles

### Statement of Purpose:

Purpose: To clarify the intended scope of the current regulation, consistent with the federal Motor Carrier Safety Improvement Act of 1999 (MCSIA). Also, to conform the current regulation section with the requirements of Public Act 09-187.

### Summary of Main Provisions:

Subsection 1. Adds two additional means of qualifying motor vehicles for coverage under section 14-163c-1 of the Regulations of Connecticut State Agencies;

Subsection 2. Adds two additional means of qualifying motor vehicles for coverage under section 14-163c-1 of the Regulations of Connecticut State Agencies;

Subsection 4. Removes the exemption for placarded vehicles transporting hazardous materials; and

Subsection 5. Removes the applicability of section 14-163c-1 of the Regulations of Connecticut State Agencies from "any driver" and makes that regulation section applicable to persons holding a commercial driver's license or operating any of the vehicles described in subsections (1) through (4), inclusive, of this regulation.

Legal Effects of the Regulation: The regulation limits the application of section 14-163c-1 of the Regulations of Connecticut State Agencies to a holder of a commercial driver's license or the driver of a vehicle covered by the weight limits established in this regulation. Also, the regulation removes the exemption, under certain circumstances, for placarded vehicles transporting hazardous materials from the requirements of section 14-163c-1 of the Regulations of Connecticut State Agencies.

Be it known that the foregoing:  
[X] Regulations    [ ] Emergency Regulations are:  
[ ] Adopted        [X] Amended as hereinabove stated    [ ] Repealed

By the aforesaid agency pursuant to:  
[X] Section 14-163c of the Connecticut General Statutes.

☐ Section 14- of the Connecticut General Statutes, as amended by Section    of Public Act. No.    of the Public Acts.

[ ] Public Act. No.            of the Public Acts.

After publication in the Connecticut Law Journal on           , 2009 of the notice of the proposal to:  
[ ] Adopt    [X] Amend    [ ] Repeal    such regulations

(If applicable): [ ] And the holding of an advertised public hearing on    day of    2009.

WHEREFORE, the foregoing regulations are hereby:  
[ ] Adopted    [X] Amended as hereinabove stated        [ ] Repealed

Effective:  
[X] When filed with the Secretary of the State.  
(OR)  
[ ] The        day of            2010.

In Witness Whereof:	Date <u>7-6-10</u>	SIGNED (Head of Board, Agency or Commission) <i>Robert M. Ayer</i>	OFFICIAL TITLE, DULY AUTHORIZED  COMMISSIONER
Approved by the Attorney General as to legal sufficiency in accordance with Sec. 4-169, as amended, C.G.S.:		SIGNED <i>William B. Ayer</i> <u>7/15/10</u>	OFFICIAL TITLE, DULY AUTHORIZED  ASSOC. ATTY. GENERAL

- [ ] Approved
- [ ] Disapproved
- [ ] Disapproved in part, (Indicate Section Numbers disapproved only)
- [ ] Rejected without prejudice.

The Legislative Review Committee in accordance with Sec. 4-170, as amended, of the Connecticut General Statutes	DATE	SIGNED (Clerk of the Legislative Regulation Review Committee)
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Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Section 4-172, as amended, of the Connecticut General Statutes.

DATE	SIGNED (Secretary of the State)	BY
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INSTRUCTIONS

One copy of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the Attorney General for his determination of legal sufficiency. Section 4-169 of the Connecticut General Statutes.

Seventeen copies of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the standing Legislative Regulation Review Committee for its approval. Section 4-170 of the Connecticut General Statutes.

Each regulation must be in the form intended for publication and must include the appropriate regulation section number and section heading. Section 4-172 of the Connecticut General Statutes.

Indicate by "(NEW)" in heading if new regulation. Amended regulations must contain new language in underlined and deleted language in brackets. Section 4-170 of the Connecticut General Statutes.